

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

WILFREDO VILLALTA,	)	8:04CV386
	)	
Plaintiff,	)	
vs.	)	<b>ORDER</b>
	)	
JONATHAN WALLER, et al.,	)	
	)	
Defendants.	)	
	)	

Inasmuch as Plaintiff has filed a third amended complaint with court approval,

IT IS ORDERED that Defendant City of Omaha's motion to dismiss portions of the second amended complaint (filing 33) is denied without prejudice, as moot.

DATED: May 27, 2005.

BY THE COURT:

s/ Richard G. Kopf  
United States District Judge